

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

PETER HARRIS AND
LONI HARRIS,

Plaintiffs,

VS.

UPWINTRADE.COM, *et al*,

Defendants.

§
§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 1:24-CV-00313
JUDGE MICHAEL J. TRUNCALE

**ORDER GRANTING PLAINTIFFS' EMERGENCY MOTION FOR
EXTENSION OF TEMPORARY RESTRAINING ORDER**

Before the Court is an Emergency Motion to Extend Temporary Restraining Order ("TRO") submitted by Plaintiffs Peter and Loni Harris. On August 8, 2024, the Court granted Plaintiffs' request for a 14-day TRO freezing accounts at four cryptocurrency exchanges to which Plaintiffs allege they have traced their stolen assets. If not extended, the TRO will expire on August 22, 2024.

In the instant Motion, Plaintiffs report that (i) two of the four exchanges on which they have served the TRO appear to have complied with the freezing order, (ii) one other exchange has insisted on being served abroad, and (iii) another exchange has not responded to Plaintiffs' counsel's attempts to communicate. As to the two exchanges that appear to have complied with the freezing order, Plaintiffs report that the scope of the freezes

implemented remains unclear and is the subject of ongoing discussions between their counsel and the exchanges' representatives.

Plaintiffs further report that they served the expedited discovery authorized by the Court on each of the exchanges along with the TRO. Their counsel continues to work with the exchanges' representatives to secure production of responsive materials. Counsel will also attempt to initiate discussions with the non-responsive exchange by alternate channels of communication.

Plaintiffs request a 14-day extension of the TRO in order to allow them to continue to work through and resolve these issues with the exchanges. They argue that they should be given additional time to secure information from the exchanges and implement the account freezes, noting that these efforts will pave the way for their forthcoming motion for a preliminary injunction and service on the Defendants.

The Court agrees. Federal Rule of Civil Procedure 65(b)(2) provides for extension of a temporary restraining order "for good cause." Plaintiffs have shown good cause due to the difficulty of serving and communicating with the exchanges and the need to obtain discovery regarding the Defendants to give them notice of this suit, the TRO, and Plaintiffs' forthcoming motion for a preliminary injunction. Accordingly, the Court **GRANTS** the motion and **EXTENDS** the TRO. The TRO will expire on September 5, 2024.

As required by Federal Rule of Civil Procedure 65(b)(3), the Court will set Plaintiffs' motion for a preliminary injunction for hearing "at the earliest possible time." If Plaintiffs choose not to proceed with a motion for a preliminary injunction, the TRO will dissolve as per the terms of this Order on September 5, 2024.

Dated: August 21, 2024

Prepared By:

THE HODA LAW FIRM, PLLC

A handwritten signature in black ink, appearing to read "M Hoda", enclosed within a large, loopy circular flourish.

Marshal J. Hoda, Esq.
Tx. Bar No. 2411009
12333 Sowden Road, Suite B
PMB 51811
Houston, TX 77080
o. (832) 848-0036
marshal@thehodalawfirm.com

Attorney for Plaintiffs